

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MASSACHUSETTS

CA #: 04CV12058WGY

BETTE J. RIVARD, as Administratrix of)
the Estate of John A Horton,)
Plaintiff)
)
v.)
)
DARTMOUTH HOUSE OF CORRECTION,)
BRISTOL COUNTY, JOHN DOE,)
RICHARD ROE, Bristol County Corrections)
employees)
Defendants/)
Third Party Plaintiffs)
)
v.)
)
PRISON HEALTH SERVICES, INC.)
)
Third Party Defendants)
)

DEFENDANTS' JOINT PRE-TRIAL DISCLOSURES

Pursuant to Local Rule 16.5(c) and Fed.R.Civ.P. 26(a)(2), the defendants Dartmouth House of Correction/Bristol County and third-party defendant Prison Health Services, Inc. submit the following pre-trial disclosures.

1. DISCLOSURE OF WITNESSES DEFENDANTS EXPECT TO CALL

Susan Andrews, M.D.

Pauline Sweeney

Linda Goodale, R.N.

Sheriff Thomas M. Hodgson

Peter Berthiaume

Colonel Souza

Lorraine Rousseau

Various employees of Bristol County House of Correction

Various employees of Prison Health Services, Inc.

DISCLOSURE OF WITNESSES THE DEFENDANTS MAY CALL

Steve Stonely LPN

Amber Mello, P.A.C.

Nathaniel Stillman , P.A.C.

Laurel Miller, M.D.

Kathleen Cronin, M.D.

DISCLOSURE OF TESTIMONY TO BE PROVIDED BY DEPOSITION/TRANSCRIPT

- None.

2. DISCLOSURE OF DOCUMENTS

Documents Expected to Be Offered by Defendants

Postmortem Examination Report

Prison Health Services Records

Including:

- Physician's Orders
- Progress Notes
- Physical Examinations
- Outpatient Referral Request Forms
- Laboratory Reports
- Radiology Reports

- Medication Administration Records
- Inmate Medical Request Forms
- Refusal of Treatment Forms
- Special Needs Notification Forms
- HIV-AIDS Clinic Records
- Hunger Strike Records
- Mental Health Records

Lemuel Shattuck Hospital Records

St. Luke's Hospitals Records

Medical Records From Any Outside Medical Providers

Bristol County House Of Correction

Administrative/ Jail Record For John Horton

Correspondence Received From IRS Regarding Lack Of Tax Returns

Certified Copies of Criminal Convictions for Witnesses Called by Plaintiff

Documents Which May Be Offered By Defendants

Massachusetts General Hospital Records

Cape Cod Hospital Records

Contract Between PHS And Bristol County

Contracts Between Laurel Miller And Bristol County

Contracts With Kathleen Cronin

3. DISCLOSURE OF EXPERT TESTIMONY

- Robert Resnick, M.D.

Opinion

See Attached Opinion Letter

Publications Within the Last Ten Years

Resnick, R.H. *Lactulose leaves the leaky gut.* Inflammatory Bowel Diseases, 2:223-4, 1996.

Wattanasirichaigoon, S., Gordon, F.D. and Resnick, R.H. *Hyperdynamic Circulation in Portal Hypertension; A Comparative Model of Arterial-Venous Fistula*. Medical Hypotheses 55(1): 77-87, 2000.

Resnick, R.H. and Chopra S. *Vitamin D Receptor gene analysis in Primary Biliary Cirrhosis*. Gastroenterology 118: 1805, 2000.

Resnick, R.H. and Chopra, S. *Nonalcoholic Steatohepatitis: A Common Hepatic Disorder*. Family Practice Recertification; 24: 43-50, 2002.

Depositions/Trials

<u>Date</u>	<u>Law Firm</u>	<u>Subject</u>	<u>Depo/Trial</u>	<u>Location</u>
4/15/05	Kenneth Ambler	Plaintiff Hopkinson	Depo	Tampa, FL
12/21/04	Levy Angstreich	Plaintiff Atkinson	Depo	Cherry Hill, N.J.
1/27/03	Costello, McMahon & Burke	Plaintiff Taylor	Depo	Chicago, IL
2/24/04	Fink & Boyle	Plaintiff Lewis	Depo	Fort Myers, FL
4/14/05	Florin, Roehig	Plaintiff Ricks	Depo	Palm Harbor, FL
6/18/02	Goldman, Weisman & Cairo	Plaintiff Pearson	Depo	Chicago, IL
10/31/02	Mac Greco Jr.	Plaintiff A. Laferriere	Depo	Tampa, FL
3/8/04	Mac Greco Jr.	Plaintiff A. Laferriere	Trial	Tampa, FL
2/9/04	Wilson & Groves	Plaintiff A. Ellis	Depo	Henderson, KY
1/31/02	Benjamin Levine	Plaintiff Schurko	Trial	Newark, NJ
5/8/03	Levy Angstreich	Plaintiff L. Alper	Depo	Cherry Hill, NJ
10/2/03	Levy Angstreich	Plaintiff R. Mancuso	Depo	Cherry Hill, NJ
8/4/02	Logan	Plaintiff Figueroa	Depo	Gulfport, MS
1/4/02	Marsee	Plaintiff J. Avidano	Depo	Orlando, FL
4/7/04	Moquin & Daley	Plaintiff D. Mustafa	Trial	Boston, MA
7/25/02	Frederick Nessler	Plaintiff A. Jacobs	Depo	Peoria, IL
3/18/03	Frederick Nessler	Plaintiff Ridgeway	Depo	Peoria, IL
8/19/04	John B. Ostrow	Plaintiff Fabins	Depo	Miami, FL

11/1/04	John B. Ostrow	Plaintiff Fabins	Depo	Miami, FL
2/28/03	Pignatelli, Liston, & Mertes	Plaintiff L. Thompson	Depo	Rock Falls, IL
9/8/03	Preti, Flaherty	Defendant Dr. Weiss	Depo	Portland, ME
3/12/02	Sheldon, Schlesinger	Plaintiff Rogers Zobel	Depo	Ft. Lauderdale, FL
9/10/02	Scary, Denny, Scarola	Plaintiff Broughton	Trial	West Palm Beach, FL
3/3/05	Slater, Norris & Gormley	Plaintiff Cline	Depo	Des Moines, IA
4/14/05	Slater, Norris & Gormley	Plaintiff Cline	Trial	Des Moines, IA
8/1/03	Eddie Zyko	Plaintiff Poulin	Trial	Stamford, CT

Respectfully submitted,

Dartmouth House of Correction,
Bristol County,
By their attorney,

/s/ Regina Ryan (meb)
Regina Ryan, Esq. BBO# 565246
Merrick, Louison & Costello
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Boston, MA 02110
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Prison Health Services Inc
By their attorneys,

/s/ Mary Eiro-Bartevyan
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Mary Eiro-Bartevyan, BBO #558970
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CERTIFICATE OF SERVICE

I, Mary Eiro-Bartevyan, attorney for Prison Health Services, Inc. hereby certify that I have this _____ day of December, 2005 forwarded a copy of the foregoing Defendants' Joint Pre-Trial Disclosures, by first-class mail, postage pre-paid, upon the plaintiff's counsel named below:

Robert Proulx, Esq.
Proulx Law Associates, PC
170 High Street
Suite 301
Taunton, MA 02780

/s/ Mary Eiro-Bartevyan

Mary Eiro-Bartevyan